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12 UNITED STATES DISTRICT COURT

13 NORTHERN DISTRICT OF CALIFORNIA

14 SAN FRANCISCO DIVISION

15 GOOGLE LLC,

16 Plaintiff,

17 vs.

18 SONOS, INC.,

19 Defendant.

CASE NO. 3:20-cv-06754-WHA

Related to CASE NO. 3:21-cv-07559-WHA

**DECLARATION OF JAMES JUDAH IN
SUPPORT OF SONOS, INC.'S
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER ANOTHER
PARTY'S MATERIAL SHOULD BE
SEALED (DKT. NO. 429)**

I, James Judah, declare and state as follows:

1. I am an attorney licensed to practice in the State of California and am admitted to practice before this Court. I am a partner at Quinn Emanuel Urquhart & Sullivan LLP representing Google LLC (“Google”) in this matter. I have personal knowledge of the matters set forth in this Declaration, and if called as a witness I would testify competently to those matters.

2. I make this declaration in support of Sonos, Inc.’s (“Sonos”) Administrative Motion to Consider Whether Another Party’s Material Should Be Sealed (“Administrative Motion”) (Dkt. No. 429) filed in connection with Sonos’s Reply In Support of Its Motion for Leave to Amend Infringement Contentions Pursuant to Patent L.R. 3-6 (“Reply”) (Dkt. 428). If called as a witness, I could and would testify competently to the information contained herein.

3. Google seeks an order sealing the materials as listed below:

Document	Portions Sonos Sought to Be Filed Under Seal	Portions Google Seeks to Be Filed Under Seal	Designating Party
Sonos’s Reply	Portions highlighted in green	Portions highlighted in green	Google
Exhibit 11 to the Reply Declaration of Geoffrey Moss in Support of Sonos’s Motion for Leave to Amend Infringement Contentions Pursuant to Patent L.R. 3-6 (“Exhibit 11”)	Entire Document	Portions outlined in red boxes	Google
Exhibit 12 to the Reply Declaration of Geoffrey Moss in Support of Sonos’s Motion for Leave to Amend Infringement Contentions Pursuant to Patent L.R. 3-6 (“Exhibit 12”)	Entire Document	Portions outlined in red boxes	Google

4. I understand that the Court analyzes sealing requests for motions for leave to amend infringement contentions pursuant to the “good cause” standard for non-dispositive motions. *See, e.g.,*

1 *Mediatek Inc. v. Freescale Semiconductor, Inc.*, No. 11-CV-5341 YGR, 2013 WL 10996547, at *1
2 (N.D. Cal. May 10, 2013).

3 5. The portions of Sonos's Reply highlighted in green contain references to Google's
4 confidential business information and trade secrets, including details regarding source code,
5 architecture, and technical operation of Google's products. The specifics of how these functionalities
6 operate is confidential information that Google does not share publicly. Thus, I understand that the
7 public disclosure of such information could lead to competitive harm to Google, as competitors could
8 use these details regarding the architecture and functionality of Google's products to gain a
9 competitive advantage in the marketplace with respect to their competing products. Google has
10 therefore designated this information as HIGHLY CONFIDENTIAL—ATTORNEYS' EYES ONLY
11 and/or HIGHLY CONFIDENTIAL—SOURCE CODE under the protective order (Dkt. No. 92). A
12 less restrictive alternative than sealing would not be sufficient because the information sought to be
13 sealed is Google's confidential business information and trade secrets but has been utilized by Sonos
14 in support of Sonos's Reply.

15 6. The portions of Exhibits 11 and 12 outlined in red boxes contain references to Google's
16 confidential business information and trade secrets, including details regarding source code,
17 architecture, and technical operation of Google's products. The specifics of how these functionalities
18 operate is confidential information that Google does not share publicly. Thus, I understand that the
19 public disclosure of such information could lead to competitive harm to Google, as competitors could
20 use these details regarding the architecture and functionality of Google's products to gain a
21 competitive advantage in the marketplace with respect to their competing products. Google has
22 therefore designated this information as HIGHLY CONFIDENTIAL—ATTORNEYS' EYES ONLY
23 and/or HIGHLY CONFIDENTIAL—SOURCE CODE under the protective order (Dkt. No. 92).
24 Although Sonos's Administrative Motion sought to seal the entirety of Exhibits 11 and 12, Google
25 only seeks to file under seal the portions outlined in red boxes. A less restrictive alternative than
26 sealing would not be sufficient because the information sought to be sealed is Google's confidential
27 business information and trade secrets but has been utilized by Sonos in support of Sonos's Reply.

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1 I declare under penalty of perjury under the laws of the United States of America that to the
2 best of my knowledge the foregoing is true and correct. Executed on December 27, 2022, in
3 Hillsborough, California.

4 DATED: December 27, 2022

5 By: /s/ James Judah

6 James Judah